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C O N F I D E N T I A L SECTION 01 OF 02 HANOI 000677

SENSITIVE
SIPDIS

FOR EAP/MLS AND DRL

E.O. 12958: DECL: 07/22/2019
TAGS: [PHUM](#) [PGOV](#) [PREL](#) [ECON](#) [CASC](#) [VM](#)
SUBJECT: AMBASSADOR RAISES DETAINED AMCIT, RECENT POLITICAL ARRESTS

REF: A. HANOI 672
[1](#)B. HANOI 633
[1](#)C. HCMC 473

Classified By: Ambassador Michael Michalak. Reasons: 1.4 (b/d).

[1](#)1. (C) SUMMARY: In a tense exchange July 20, the Ambassador pressed VFM Pham Binh Minh to grant consular access to detained American Citizen Kevin Huan Vo, arguing that it would be "unacceptable" to announce the opening of a consulate in Houston while a U.S. citizen remains in jail incommunicado on what appear to be political charges. The Ambassador said that Vo's arrest would only add to the negative atmosphere generated by the GVN's continuing crackdown on political dissent, noting the deleterious effect this could have on other aspects of the relationship. VFM Minh gave little ground. While he promised to request more information on the Amcit case from the Ministry of Public Security, Minh defended the arrest of dissidents, including prominent attorney Le Cong Dinh, as a necessary measure to protect national security, asserting that the individuals in question were affiliated with the Viet Tan. Minh was equally recalcitrant on the GVN's refusal to approve new Embassy and Consulate positions, contending that current staffing -- already larger than Vietnam's "traditional partners" China and Russia -- was disproportionate to the United States' actual requirements. Responding to the Ambassador's letter to FM Pham Gia Khiem expressing outrage at the MFA's eleventh-hour threat to boycott the July 4 reception unless we rescinded our invitation to dissident Pham Hong Son, Minh disputed the characterization but insisted that just as the Embassy had a right to invite whomever it wanted, GVN officials, the Guest of Honor in particular, had a right not to attend. END SUMMARY.

Detention of AMCIT

[1](#)2. (C) Meeting July 20, the Ambassador told VFM Pham Binh Minh that the detention of American Citizen Kevin Huan Vo was an extremely serious event and that it would be "unacceptable" to announce the opening of a consulate in Houston while an American citizen remains in jail incommunicado on what appear to be spurious political grounds. He insisted that U.S. consular officials be given access to Mr. Vo. Minh said that the MFA had asked the MPS for clarification, but that no information had been provided. Minh urged the Ambassador not to link the arrest to the Houston/ HCMC consular district/ Danang/ New York agreement, asserting that the MFA had its own "domestic pressures" to contend with but had chosen to proceed anyway. (Note: Subsequent to the meeting, ConGen HCMC received confirmation that Vo had been arrested under Article 84 of Vietnam's penal

code, "Crimes Related to Terrorism," for allegedly producing, circulating and being in possession of anti-government materials. The Ambassador telephoned Minh to protest the arrest, demand consular access, and urge Vo's immediate release. End note.)

VFM Minh Unapologetic About the Crackdown

13. (C) The Ambassador emphasized that Vo's arrest would further contribute to the negative atmosphere that has followed Vietnam's ongoing crackdown on political dissent (ref. A). The GVN's arrest of political dissidents, attorney Le Cong Dinh (refs. B,C) in particular, threatened to spill over into other aspects of the relationship, the Ambassador continued, noting that not only members of Congress, but the USTR and others had made exactly this point. VFM Minh acknowledged that his leadership was aware that there would be repercussions, but insisted that this was a matter of national security. He asserted that those arrested were associated with Viet Tan, a group that Vietnam considers to be a "terrorist" organization. The Ambassador responded that from our perspective, the arrests appear to be a criminalization of free speech, and that we would continue to voice our objections.

Or About the MFA's Threatened July 4 Boycott

14. (C) VFM Minh said that he had been instructed by DPM/FM Pham Gia Khiem to offer a formal response to the Ambassador's letter to Khiem expressing indignation at the MFA's

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last-minute threat to boycott our National Day reception if dissident Pham Hong Son were in attendance (ref. C). Contradicting what MFA Americas Division DG Nguyen Ba Hung had explicitly told the DCM, Minh maintained that the GVN had never actually threatened a "boycott." Instead, it was only the Guest of Honor, Minister of Agriculture Cao Duc Phat, who would not have attended had Dr. Son been at the event. Minh gave no ground on the principle involved, however, stating that just as the Embassy could invite whomever it wanted, the GVN had the right not to attend. Recalling his heated telephone conversation on the subject with VFM Minh, the Ambassador said that we stood by letter and that it was outrageous for the MFA to interfere in such a bald, disrespectful, and immature fashion.

Embassy and Consulate Staffing

15. (C) The Ambassador forcefully and repeatedly urged the GVN to expedite the approval of the 11 position requests still pending. Referring to the exchange of letters on the Consulate in HCMC, Minh argued that the size of the U.S. mission was already considerably above the ceiling agreed to in 1997 and was disproportionately large compared to that of other countries, Vietnam's "traditional partners" China and Russia in particular. He said that it was difficult for the MFA to make the case "with other relevant ministries" (read: MPS) and asserted that Vietnam had yet to see concrete results for many U.S.-staffed projects. He then compared the U.S. personnel awaiting approval to the five MFA diplomats originally slated to staff the Houston Consulate. Returning to the 1997 ceiling, Minh said the GVN would be open to renegotiating the numbers or could continue to review each new position on a case-by-case basis, but could not do both.

16. (C) The Ambassador rejected the comparison with Houston and the implied linkage. He also refuted the assertion that our programs lacked results, detailing significant and meaningful cooperation in climate change, health, economic development, trade promotion, and -- more recently -- mil-mil relations. The 1995 ceilings are grossly inadequate given the depth of our current relationship, the Ambassador

continued, arguing that the limits no longer made sense and should be abolished outright. Failing this, there should be a more regularized, time-bounded mechanism for reviewing staffing requests. Whatever the ultimate decision, it was discourteous in the extreme to keep staff and their families waiting indefinitely, the Ambassador emphasized.

MICHALAK